

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES H. BRADY,

Plaintiff,

-against-

JOHN GOLDMAN, ESQ., and JUSTIN SINGER,
ESQ., individually and as members of
HERRICK FEINSTEIN LLP; DANIEL R.
MILSTEIN, ESQ. and STEVEN SINATRA,
ESQ., individually and as members of
GREENBERG TRAURIG LLP; RICHARD M.
ZUCKERMAN, ESQ., Individually and as
member of DENTONS US LLP; JOSEPH P.
AUGUSTINE, ESQ., individually and as
member of AUGUSTINE & EBERLE LLP;
MARK K. ANESH, ESQ. and JAIME WOZMAN,
ESQ., individually and as members of
LEWIS BRISBOIS, BISGAARD & SMITH LP;
JUSTIN Y.K. CHU, ESQ., individually
and as member of STEPTOE & JOHNSON;
and ADAM RICHARDS, ESQ., individually
and as member of O'REILLY, STOUTENBERG,
RICHARDS, LLP.

Case No. 16CV2287

Defendants.

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AFFIRMATION OF RICHARD M. ASCHE

Richard M. Asche, an attorney licensed to practice
before the Courts of the State of New York, affirms the
following under penalty of perjury:

I am a member of the firm of Litman, Asche & Gioiella,
LLP, attorneys for defendants Greenberg Traurig, LLP, Daniel R.
Milstein and Steven Sinatra in this action ("Greenberg

Defendants"). I make this affirmation in support of the motion by the Greenberg Defendants for an order:

1. dismissing this action; and
2. enjoining the plaintiff from bringing any more actions on the same subject matter as this action.

Attached hereto as exhibits are true and accurate copies of the following documents:

Exhibit A - The Complaint;

Exhibit B - Decision of New York Supreme Court Justice Marcy Friedman dismissing Brady v. 450 W. 31st St. Owners Corp., Index No. 603741/07 (2008 N.Y. Misc. LEXIS 9943);

Exhibit C - Decision of Justice Friedman in Brady v. 450 W. 31st Street Owners Corp., granting reargument and adhering to her decision to dismiss (2009 N.Y. Slip Op. 30599(U));

Exhibit D - Decision of the Appellate Division, First Department affirming the dismissal of Brady w. 450 W. 31 Owners Corp. (70 A.D.2d 469 [1st Dept. 2010]);

Exhibit E - Decision of the New York Court of Appeals denying plaintiff's motion for leave to appeal in Brady v. 450 W. 31 Owners Corp., 15 N.Y.3d 710 (2010);

Exhibit F - Decision of New York Supreme Court Justice Shirley Wohl Kornreich dismissing Brady v. Sherwood Equities Corp., Index No. 654226/13 and Brady v. W. 31 Owners Corp., et al., Index No. 157779/13 (2014 Slip Op. 31879 (U));

Exhibit G - Judgment of Supreme Court, New York County awarding attorneys' fees to Greenberg Traurig's clients;

Exhibit H - Unsigned Order to Show Cause seeking a stay reargument and recusal of Justice Kornreich in the two 2013 cases and transcripts denying Order to Show Cause;

Exhibit I - Appellate Division First Department decision denying appeal from the refusal of Justice Kornreich to sign the Order to Show Cause;

Exhibit J - Court of Appeals dismissal of Brady's motion for leave to appeal refusal to grant stay;

Exhibit K - Appellate Division dismissal of Brady's appeal from Justice Kornreich's decision and denial of reargument;

Exhibit L - Court of Appeals dismissal of Brady's motion for leave to appeal;

Exhibit M - Decision of New York Supreme Court Justice Margaret A. Chan dismissing the Complaint and enjoining plaintiff from commencing any additional suits without court approval in Brady v. New York County District Attorney's Office, et al, Index No. 154496/15;

Exhibit N - Docket in Brady v. New York State Commission on Judicial Conduct, 15 Civ. 2264 (Judge Pauley, S.D.N.Y.) The Complaint, which sought \$100,000,000 in damages,

comprises of 67 pages and, in the interest of expediency, is not reproduced here;

Exhibit O - Complaint in Brady v. Schneiderman, 15 Civ. 9141 (Judge Abrams, S.D.N.Y.);

Exhibit P - Complaint in Brady v. Associated Press Telecom, et al, 16 Civ. 26937 (Judge Daniels S.D.N.Y.)

WHEREFORE, the Greenberg defendants demand judgment, for the reasons expressed in the accompanying Memorandum, dismissing the Complaint herein, and request an injunction barring the plaintiff from commencing any actions concerning the subject matter of this action.

Dated: New York, New York

May 19, 2016

/s/ Richard M. Asche
Richard M. Asche